

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Gerd Breiter et al.

Serial No.: 10/616,526

Filed: July 10, 2003

For: METHOD AND SYSTEM FOR ENHANCING STREAMING  
OPERATION IN A DISTRIBUTED COMMUNICATION  
SYSTEM

Group Art Unit: 2152

Confirmation No.: 1217

Examiner: Tauqir Hussain

**Notification of Non-Compliant Appeal Brief (37 CFR 41.37)**

Mail Stop Appeal Brief - Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

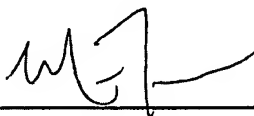
The appeal brief filed on October 3<sup>rd</sup> 2008 is defective for failure to comply with one or more provisions of 37 CFR 41.37. Section III Status of the claims fails to list the status of all claims. The entire brief is not needed for this correction as only section III was found defective.

The Appellants have amended Section III by adding the status of claim 1 that was not listed previously.

In view of the foregoing comments, the Appellants respectfully request the entry of the amended section III.

Date: November 24, 2008

Respectfully submitted,

By: \_\_\_\_\_

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### **3. Status of Claims**

Claims 1, 3-5, 7, 9, 14, and 15 are pending and stand finally rejected, and are on appeal herein. Claims 2, 6, 8, and 10 are canceled. An amendment canceling claims 11-13 is awaiting entry. The claims on appeal are set forth in the Appendix of Claims.